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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,264	02/11/2004	Daisy Han	JCLA11985	5391
23900	7590	03/26/2007		
J C PATENTS, INC. 4 VENTURE, SUITE 250 IRVINE, CA 92618			EXAMINER MALLARI, PATRICIA C	
			ART UNIT	PAPER NUMBER
			3735	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/26/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/777,264

Applicant(s)

HAN, DAISY

Examiner

Patricia C. Mallari

Art Unit

3735

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7,9 and 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/16/07 has been entered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,901,732 to Williams in view of US Patent No. 1,857,567 to Plesch. Williams teaches a cuff comprising a strap unit, with a ring unit 58, the strap unit having its upper side wider than its lower side, and the strap unit is adapted to pass through the ring (see entire document, especially figs. 1-3 of Williams). Williams lacks the direction of the ring being not perpendicular to an outstretch direction of the strap unit.

However, Plesch teaches blood pressure cuff wherein the ring attached to one end of the strap unit and defining an end of the strap unit is not perpendicular to an

outstretch direction of the strap unit so as to accommodate different shaped limbs (see entire document, especially fig. 5; lines 87-99 of Plesch). A first adhering region, which is the region of the strap clamped between sections h and i of the ring, is disposed on a surface of the strap at one end further away from the ring g, h, i, r than a second adhering region f. The second adhering region f is disposed on surface of the strap adjacent the second adhering region s (see entire document, especially see entire document, especially fig. 1 of Plesch). The first adhering region is affixed to the second adhering region f after one end of the strap unit passes through the ring, wherein the first adhering region is affixed to the second adhering region via the ring g, h, i, r as shown in figures 1 and 3 of Plesch. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the ring and strap construction of Plesch with the cuff of Williams in order to additionally accommodate different shaped limbs.

Regarding claims 2 and 6, an air sac is disposed inside the strap, the air sac comprising an air inlet (see entire document, especially figs. 1 & 2; col. 3, lines 5-19 of Williams).

Regarding claims 3 and 7, an air pump unit 28 connects ton an air-pump opening, wherein air is delivered through the air inlet into the air sac (see entire document, especially figs. 1 & 2; col. 3, lines 5-19 of Williams).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Plesch, as applied to claims 1-3 and 5-7 above, and further in view of US

Patent No. 5,626,142 to Marks. Williams, as modified, lacks details as to the manometer apparatus. Marks teaches an inflatable blood pressure cuff that works with a manometer 16, wherein the manometer is a mercury column (see entire document, especially fig. 1; col. 4, lines 38-43 of Marks). Therefore, it would have been obvious to use the manometer of Marks as that of Williams, as modified, since Williams, as modified, teaches using a manometer, and Marks describes an appropriate such manometer.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Plesch, as applied to claims 1-3 and 5-7 above, and further in view of US Patent No. 4,429,699 to Hatschek. Williams, as modified, lacks details as to the manometer apparatus. Hatschek teaches an inflatable blood pressure cuff that works with a manometer, wherein the manometer comprises an electronic display unit 27 (see entire document, especially figs. 1 & 2; col. 3, lines 1-8 of Hatschek). Therefore, it would have been obvious to use the manometer of Hatschek as that of Williams, as modified, since Williams, as modified, teaches using a manometer, and Hatschek describes an appropriate such manometer.

### ***Response to Arguments***

Applicant's arguments filed 1/16/07 have been fully considered but they are not persuasive.

With respect to the combination of Williams with Plesch, the applicants state that reference characters g-l, k, r "is not a 'ring' because there disclose 'a handle k is then rotated to the position shown in Fig. 3, causing the rod l to squeeze the free end of the strap'. A ring is a circular object or arrangement with a vacant circular center. As seen from the profile view in figures 1, 3, and 4 of Plesch, the portion of the device labeled g, h, i, r forms such a circular object or arrangement with a vacant circular center. That the ring g, h, i, r is also a fastener does not disqualify the object as being a ring as well. The applicants further state that "in Plesch, a first adhering region s cannot be affixed to a second adhering region f". However, as explained above, where the first adhering region is the region of the strap clamped between sections h and i of the ring, the first adhering region is shown as being affixed to the second adhering region f via the ring g, h, i, r in figures 1 and 3 of Plesch. Therefore, the combination of Williams and Plesch teaches the first adhering region being affixed to the second adhering region after one end of the strap, wherein reference character s designates one end of the strap, passes through the ring, and claim 1-3 and 5-7 are rejected as being unpatentable over the combination of Williams and Plesch as set forth above.

The applicants further state" even if Williams and Plesch could be combined" on p. 7 of the arguments, as if the combinability of Williams and Plesch were in dispute. However, the applicants have failed to set forth any reasons as to why the references may not be combined.

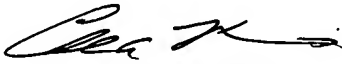
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia C. Mallari whose telephone number is (571) 272-4729. The examiner can normally be reached on Monday-Friday 10:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on (571) 272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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